

BE AVAILABLE COPY

PTO/SB/51 (02-01) (modified)
Approved for use through 01/31/2004. OMB 0651-0033

Docket Number Q74084

REISSUE APPLICATION DECLARATION BY THE INVENTOR

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,321,471, granted November 27, 2001 and for which a reissue patent is sought on the invention entitled:

COUPLING FOR THE TEETH OF EXCAVATORS AND THE LIKE,

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____ and was amended by a Preliminary Amendment filed concurrently herewith. (if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
☒ by reason of the patentees claiming less than they had the right to claim in the patent.
☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The patentees claimed less than we had the right to claim in the patent due to our failure to appreciate the full scope of our invention and claim additional embodiments of our invention disclosed in the specification. In particular, *inter alia*, we did not initially claim the tooth recited in new Claims 26-33.

All errors corrected in this reissue application arose without any deceptive intention on the part of applicants.

I hereby claim priority benefits under Title 35, United States Code §119, §172 or §365 of any provisional application or foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of any foreign application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed Yes No
9801404	Spain	July 3, 1998	<input checked="" type="checkbox"/> <input type="checkbox"/>

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application under 37 C.F.R. 1.56:

Application No.
PCT/ES99/0206
09/747.328

Filing Date
July 1, 1999
January 3, 2001

Status
Patented (U.S. Patent 6,321,471)

BEST AVAILABLE COPY

PTO/SB/51 (02-01) (modified)
Approved for use through 01/31/2004 OMB 0651-0033

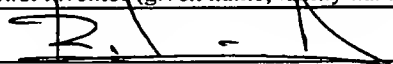
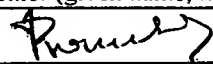
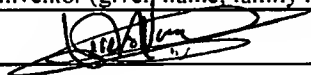
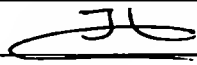
As a named inventor. I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE

23373**23373**

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name): FERNANDEZ MUÑOZ, Roberto	
Inventor's signature 	Date 6.03.03
Residence El Masnou, SPAIN	Citizenship SPANISH
Mailing Address C/O METALOGENIA, S.A., Paseo San Juan Bautista La Salle, 40 Premia de Mar, Barcelona, SPAIN	
Full name of second joint inventor (given name, family name): PEREZ SORIA, Francisco	
Inventor's signature 	Date 6.3.03
Residence Premia de Mar, SPAIN	Citizenship SPANISH
Mailing Address C/O METALOGENIA, S.A., Paseo San Juan Bautista La Salle, 40 Premia de Mar, Barcelona, SPAIN	
Full name of third joint inventor (given name, family name): NAVARRO ROMERO, Lorenzo	
Inventor's signature 	Date 6/3/03
Residence Mataro, SPAIN	Citizenship SPANISH
Mailing Address C/O METALOGENIA, S.A., Paseo San Juan Bautista La Salle, 40 Premia de Mar, Barcelona, SPAIN	
Full name of fourth joint inventor (given name, family name): LAFORET ALVAREZ, Jose Antonio	
Inventor's signature 	Date 06/03/03
Residence Vilassar de Dalt, SPAIN	Citizenship SPANISH
Mailing Address C/O METALOGENIA, S.A., Paseo San Juan Bautista La Salle, 40 Premia de Mar, Barcelona, SPAIN	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.	

BEST AVAILABLE

ASSIGNMENT

We, Roberto FERNANDEZ MUÑOZ , a citizen of Spain
 residing at Italia, 40 1-2, 08320 EL MASNOU (BARCELONA); Francisco PEREZ SORIA
 a citizen of Spain , residing at Esperanza 5, 08330 PREMIA DE MAR
 , residing at (BARCELONA); Lor nzo NAVARRO ROMERO
 , a citizen of Spain , residing at Velezquez 42,
 08302 MATARO (BARCELONA); and José Antonio LAFORET ALVAREZ a citizen of
 Spain , residing at Joan Maragall, 25, 08339 VILASSAR DE DALT
 (BARCELONA)
 hereinbelow called the "Assignors", have made a certain invention
 in

"Coupling for the teeth of excavators and the like"

for which an international application designating the U.S. was
 filed on 1 July 1999 , ~~199~~ under International Application
 No. PCT/ ES99/00206 ; and

WHEREAS, METALOGENIA, S.A. , a
 corporation organized and existing under and by the laws of
 , having a place of business at ^{Paseo San Juan Bautista La Salle, 40}
 below called the "Assignee"), is desirous of securing the entire
 right, title and interest in the United States in and to the said
 invention, application and Letters Patent, when granted, and in and
 to any divisions, divisionals, continuations, improvements,
 reissues or extensions that may be made or granted thereon;

NOW, THEREFORE, BE IT KNOWN that for and in consideration
 of the sum of One Dollar (\$1.00) to us in hand paid by the said
 Assignee, and other good and valuable consideration, the receipt of
 all of which is hereby acknowledged, we, the said Assignors have
 sold, assigned, transferred and set over, and by these presents do
 hereby sell, assign, transfer and set over unto the said Assignee,
 its successors and assigns, all of our right, title and interest in
 the United States in and to the said invention, application and
 Letters Patent, when granted, and in and to any divisions,
 continuations, improvements, reissues or extensions that may be
 made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term
 or terms for which said Letters Patent may be granted, as fully and
 completely as the same might be held by us had this sale and
 assignment not been made.

For the consideration aforesaid, we hereby covenant and
 agree to and with the said Assignees its successors and assigns,
 that whenever its counsel or representative, or the counsel or

PATENT

REEL: 011432 FRAME: 0085

BEST AVAILABLE COPY

10388549.031703

representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

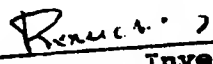
AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

Dated: 21-12-2000



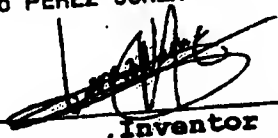
Inventor
Roberto FERNANDEZ MUNOZ

Dated: 21-12-2000



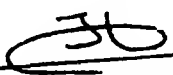
Inventor
Francisco PEREZ SORIA

Dated: 21-12-2000



Inventor
LORENZO NAVARRO ROMERO

Dated: 21-12-2000



Inventor
JOSE ANTONIO LAFORET ALVAREZ

M:\HR\PCT\HR1884

RECORDED: 01/03/2001

PATENT
REEL: 011432 FRAME: 0086

REISSUE PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re In re Reissue Application of:

Docket No: Q74084

FERNANDEZ MUÑOZ et al.

Reissue Application of
U.S. Patent No.: 6,321,471

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

For: COUPLING FOR THE TEETH OF EXCAVATORS AND THE LIKE

CONSENT OF THE ASSIGNEE TO REISSUE PURSUANT TO 37 C.F.R. § 1.171(a)

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Metalogenia, S.A. is the assignee, i.e., owner, of the entire right, title and interest of the technology disclosed and claimed in FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471, which issued on November 27, 2001, as evidenced by the Assignment recorded on January 3, 2001, in U.S. Patent Application Serial 09/747,328, at Reel 011432, Frame 0084.

Metalogenia, S.A. hereby certifies that the above-mentioned Assignment has been reviewed and to the best of Metalogenia, S.A.'s knowledge and belief, the entire right, title, and interest is in Metalogenia, S.A., which is seeking to take this action.

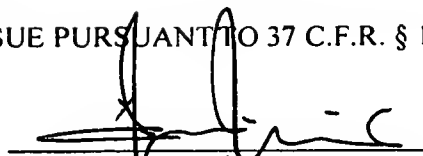
Metalogenia, S.A. hereby consents to the filing of a Reissue Application of FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471.

By virtue of my position at Metalogenia, S.A., I am authorized to sign this written consent on behalf of the assignee, i.e., Metalogenia, S.A., of FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471.

REISSUE OF U.S. PATENT NO. 6,321,471

CONSENT OF THE ASSIGNEE TO REISSUE PURSUANT TO 37 C.F.R. § 1.171(a)

Date: 06/03/2003



Name: FRANCISCO TRIGUERA I BOIXEDA
Title: CHIEF EXECUTIVE OFFICER
Metalogenia, S.A.

Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Patent #: 6321471 **Issue Dt:** 11/27/2001 **Application #:** 09747328 **Filing D**

Inventors: Roberto Fernandez Munoz, Francisco Perez Soria, Lorenzo Navarro R

Title: Coupling for the teeth of excavators and the like

Assignment: 1

Reel/Frame: 011432/0084

Recorded: 01/03/2001

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR

Assignors: FERNANDEZ MUNOZ, ROBERTO

Exec Dt: 12/2

PEREZ SORIA, FRANCISCO

Exec Dt: 12/2

NAVARRO ROMERO, LORENZO

Exec Dt: 12/2

LAFORET ALVAREZ, JOSE ANTONIO

Exec Dt: 12/2

Assignee: METALOGENIA, S.A.

PASEO SAN JUAN BAUTISTA LA SALLE, 40

PREMIA DE MAR (BARCELONA), SPAIN 08330

Correspondent: DARBY & DARBY P.C.

PAUL FIELDS

805 THIRD AVENUE, 27TH FLOOR

NEW YORK, NEW YORK 10022-7513

Search Results as of: 2/13/2003 10:15:02 A.M.

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723
Web interface last modified: Oct. 5, 2002

01-19-2001

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
Docket No.: 2138/01114

To the Honorable Commissioner of F



101588459

had original documents or copy thereof

1. Name of conveying party(ies):

Roberto FERNANDEZ MUÑOZ; Francisco PEREZ SORIA;
Lorenz6 NAVARRO ROMERO;
Jose Antoni6 LAFORET ALVAREZAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: December 21, 2000, respectively

2. Name and address of receiving party(ies):

Name: METALOGENIA, S.A.

Internal Address:

Street Address: Paseo San Juan Bautista La SalleCity: Premia De Mer (Barcelona)Country: Spain Zip: 08330Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:
December 21, 2000

A. Patent Application No.(s)

B. Patent No.

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Darby & Darby P.C.Internal Address: Paul Fields, Esq.Street Address: 805 Third Avenue, 27th FloorCity: New York State: New York Zip: 10022-7513

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

04-0100

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Paul Fields (20,298)
Name of Person Signing

Signature

January 3, 2001
DateTotal number of pages including cover sheet, attachments, and document: Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box 1000
Washington, D.C. 20531PATENT
REEL: 011432 FRAME: 0084

REISSUE PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re In re Reissue Application of:
FERNANDEZ MUÑOZ et al.
Docket No: Q74084

Reissue Application of
U.S. Patent No.: 6,321,471
Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned
Examiner: Not yet assigned

Filed: Herewith

For: COUPLING FOR THE TEETH OF EXCAVATORS AND THE LIKE
OFFER TO SURRENDER LETTERS PATENT UNDER 37 CFR 1.178 AND
STATEMENT UNDER 37 C.F.R. § 3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Metalogenia, S.A. is the assignee, i.e., owner, of the entire right, title and interest of the technology disclosed and claimed in FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471, which issued on November 27, 2001, as evidenced by the Assignment recorded on January 3, 2001, in U.S. Patent Application Serial No. 09/747,328, at Reel 011432, Frame 0084.


Metalogenia, S.A. hereby certifies that the above-mentioned Assignment has been reviewed and to the best of Metalogenia, S.A.'s knowledge and belief, the entire right, title, and interest is in Metalogenia, S.A., which is seeking to take this action.

Metalogenia, S.A. hereby offers to surrender the original Letters Patent U.S. Patent 6,321,471 to the United States Patent and Trademark Office, upon the Examiner allowing the claims in the above-identified Reissue Application.

REISSUE OF U.S. PATENT NO. 6,321,471
OFFER TO SURRENDER LETTERS PATENT
PURSUANT TO 37 C.F.R. § 1.178

By virtue of my position at Metalogenia, S.A., I am authorized to sign this offer to
surrender on behalf of the assignee, Metalogenia, S.A.

Date: 06/03/2003


Name: FRANCISCO TRIGUÑER I BOIXEDA
Title: CHIEF EXECUTIVE OFFICER
Metalogenia, S.A.

**REISSUE PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re In re Reissue Application of:
FERNANDEZ MUÑOZ et al.

Docket No: Q74084

Reissue Application of
U.S. Patent No.: 6,321,471

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

For: COUPLING FOR THE TEETH OF EXCAVATORS AND THE LIKE

CONSENT OF THE ASSIGNEE TO REISSUE PURSUANT TO 37 C.F.R. § 1.171(a)

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Metalogenia, S.A. is the assignee, i.e., owner, of the entire right, title and interest of the technology disclosed and claimed in FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471, which issued on November 27, 2001, as evidenced by the Assignment recorded on January 3, 2001, in U.S. Patent Application Serial 09/747,328, at Reel 011432, Frame 0084.

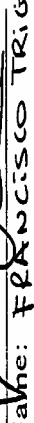
Metalogenia, S.A. hereby certifies that the above-mentioned Assignment has been reviewed and to the best of Metalogenia, S.A.'s knowledge and belief, the entire right, title, and interest is in Metalogenia, S.A., which is seeking to take this action.

Metalogenia, S.A. hereby consents to the filing of a Reissue Application of FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471.

By virtue of my position at Metalogenia, S.A., I am authorized to sign this written consent on behalf of the assignee, i.e., Metalogenia, S.A., of FERNANDEZ MUÑOZ et al., U.S. Patent 6,321,471.

REISSUE OF U.S. PATENT NO. 6,321,471
CONSENT OF THE ASSIGNEE TO REISSUE PURSUANT TO 37 C.F.R. § 1.171(a)

Date: 06/03/2003


Name: FRANCISCO TRIGUERA BOIXEDA
Title: CHIEF EXECUTIVE OFFICER
Metalogenia, S.A.